IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE TWENTY SEVENTH DAY OF APRIL
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE K.C. BHANU

WRIT PETITION NO : 9952 of 2005

Between:

M.V. Mohan Rao S/o Late (Col) M.V. Mabohar
CRPF C/o 51-C-Type-1 Group Centre CRPF Campus,

Jawahar Nagar, Ranga Reddy district Secunderabad

..... PETITIONER

AND

1 Inspector General of Police,

RAF HQR, Sec-1,

R.K. Puram, New Delhi-66
2 Deputy Inspector General of Police,

RAF, HQR, R.K. Puram, New Delhi-66
3 The Commandant, 99 Bon RAFm,

Hakimpet, Secunderabad, AP-78

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a Writ, order or direction preferably one in the nature of Writ of Mandamus, declaring the office order NO. PVIII.2/2004-EC-II, dated 08-12-2004 issued by the third respondent herein as arbitrary, illegal and contrary to law and facts and set -a side the same and consequently be pleased to direct the respondent authorities to continue the petitioner in the services of RAF/CRPF without any break-in-Service and pass such other order or further orders as this Hon'ble Court may deem fit and proper in the interest of justice.

Counsel for the Petitioner :Mr.S.AGASTYA SHARMA,Advocate

Counsel for the Respondents : Mr.M. RAMALINGESWARA REDDY

(ASST.SOLICITOR GEN.)

The Court at the stage of admission made the following :

ORDER:

Seeking to declare the office order No.PVIII.2/2004-EC-II, dated 08-12-2004, issued by third respondent as arbitrary and illegal, the present writ petition is filed.

Heard the counsel for the petitioner and the learned standing counsel appearing for the respondents.

It is brought to the notice of this court that an appeal is pending before the second respondent. Second respondent has to take appropriate decision on the appeal. When the petitioner himself admittedly availing the alternative remedy by way of an appeal, which is pending before the authorities, he cannot maintain this writ petition.

Therefore, without entering into the merits of the case, the writ petition is disposed of directing the second respondent to pass appropriate orders on the appeal preferred by the petitioner within a period of eight weeks from the date of receipt of a copy of this order. No order as to costs.

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K.C.BHANU, J.

Dated: 27..04..2005

rns

To

1 Inspector General of Police,

RAF HQR, Sec-1,

R.K. Puram, New Delhi-66

2 Deputy Inspector General of Police,

RAF, HQR, R.K. Puram, New Delhi-66

3 The Commandant, 99 Bon RAFm,

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